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Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 73, 75, 77, 79, and 81 are amended. These amendments to the claims constitute a bona fide attempt by applicant to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., page 16, line 16 to page 25, line 24), figures (e.g., FIGS. 4, 5-17), and previously allowable claims and thus, no new matter has been added. Claims 1-81 are pending.

Allowable Subject Matter:

Claims 73, 75, 77, 79, and 81 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants gratefully acknowledge this indication of allowability, and have: rewritten claim 73 in independent form including all of the limitations of the base claim and any intervening claims (there were none); rewritten claim 75 in independent form including all of the limitations of the base claim and any intervening claims (there were none); rewritten claim 77 in independent form including all of the limitations of the base claim and any intervening claims (there were none); rewritten claim 79 in independent form including all of the limitations of the base claim and any intervening claims (there were none); and rewritten claim 81 in independent form including all of the limitations of the base claim and any intervening claims (there were none).

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An indication of allowance of claims 73, 75, 77, 79, and 81 is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 1-18, 22-24, 72, and 74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Larson et al. (WO 00/74409; "Larson") in view of Lamb et al. (WO 00/79827; "Lamb") in further view of Gessel et al. (U.S. Patent No. 5,732,213; "Gessel"). This rejection is respectfully, but most strenuously, traversed.

Applicants respectfully submit that the Office Action's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Office Action's citations to the applied references fails to teach or suggest, for example, the receiver for receiving, from the standard HLR of the requesting network of the at least two requesting networks and without the requirement for any modification to the standard HLR, the network request according to one of at least two network protocols.

Larson (page 5, lines 10-19; FIGS. 3-4) discloses an HLR combined with a gateway:

Referring to FIG. 3, a block diagram illustrates an improved system in which an HLR is integrated with a gateway, as represented by the HLR-GW block 30. Particularly, in accordance with the invention, the WOS (wireless office system) gateway functionality is combined with an HLR in a single node. This functionality consists of software applications implemented on an integrated processing system in the form of a network server. Referring also to FIG. 4, the HLR-GW 30 includes a home location register (HLR) 32 and a WOS gateway 34. The HLR function 32 stores wireless user subscriber information for use both by the WOS system 10 and the PLMN 12. With the combined functionality ANSI-41 messages from the WOS system 10 are sent directly to the HLR 32 using TCP/IP protocols. Thus, the integrated HLR-GW 30 eliminates one or more physical nodes from prior systems.

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Larson discloses elimination of the HLR from the communication system and presents the elimination as an advantage over the prior systems. The Office Action's citation to Larson fails to disclose a standard HLR without a requirement for any modification to the standard HLR. Simply missing from the Office Action's citation to Larson is any mention of the receiver for receiving, from the standard HLR of the requesting network of the at least two requesting networks and without the requirement for any modification to the standard HLR, the network request according to one of at least two network protocols.

So, the Office Action's citation to Larson fails to satisfy at least one of applicants' claim limitations.

The shortcomings of the Office Action's citation to Larson relative to certain elements of the claimed invention have been discussed above. The Office Action proposes a combination of the citation to Larson with a citation to Lamb. However, the Office Action's citation to Lamb does not overcome the deficiency of the Office Action's citation to Larson. Applicants respectfully submit that the proposed combination of the Office Action's citation to Larson with the Office Action's citation to Lamb fails to provide the required approach, assuming, *arguendo*, that the combination of the Office Action's citation to Larson with the Office Action's citation to Lamb is proper.

Lamb (Abstract; FIG. 1) discloses a universal location service register (ULSR):

A method and system provide seamless, wireless telecommunication service to customers that move between disparate networks that use different protocols. A Universal Location Service Register (ULSR) communicates and provides mobility management and authentication functions across networks that use different protocols. Instead of associating each MSC with an HLR and an AuC that uses the same messaging protocol as the MSC, each MSC communicates with the ULSR for user information. The ULSR communicates with the MSCs in each network serviced by the ULSR in accordance with the protocol of

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that network. The ULSR stores user profiles that may include the identity of the user, authentication information for the user's mobile phone, a list of networks the user is authorized to access, and the identity of the MSC at which the user is currently registered.

Lamb discloses the ULSR that communicates with MSCs, instead of the MSCs communicating with an existing HLR. The Office Action's citation to Lamb fails to disclose a standard HLR. Simply missing from the Office Action's citation to Lamb is any mention of the receiver for receiving, from the standard HLR of the requesting network of the at least two requesting networks and without the requirement for any modification to the standard HLR, the network request according to one of at least two network protocols.

So, the Office Action's citation to Lamb fails to satisfy at least one of applicants' claim limitations.

The shortcomings of the Office Action's citations to Larson and Lamb relative to certain elements of the claimed invention have been discussed above. The Office Action proposes a combination of the citations to Larson and Lamb with a citation to Gessel. However, the Office Action's citation to Gessel does not overcome the deficiency of the Office Action's citations to Larson and Lamb. Applicants respectfully submit that the proposed combination of the Office Action's citations to Larson and Lamb with the Office Action's citation to Gessel fails to provide the required approach, assuming, *arguendo*, that the combination of the Office Action's citations to Larson and Lamb with the Office Action's citation to Gessel is proper.

Gessel (column 10, line 59 to column 11, line 4) discloses a mobile switching center (MSC) that receives a message from a base station controller (BSC):

FIG. 13 is an illustration of a computer-displayed network map (simulation script) illustrating a simulation in the protocol simulator of a simple location updating sequence performed in a Base Station Controller (BSC) in a Personal Communication

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System (PCS) mobile telecommunication system. When a mobile subscriber turns on a mobile telephone, the location updating sequence is initiated as shown at step 136 of the protocol simulation of the BSC. The BSC then sends a location updating request message 137 to its Mobile Switching Center (MSC) which, in turn, updates the location of the mobile subscriber in the subscriber's home location register (HLR). A confirmation message is then returned from the MSC to the BSC at 138.

Gessel discloses the simulation of a known location update sequence between the base station controller, the mobile switching center, and the home location register. The Office Action's citation to Gessel fails to disclose the receiver for receiving the network request according to one of at least two network protocols. Simply missing from the Office Action's citation to Gessel is any mention of the receiver for receiving, from the standard HLR of the requesting network of the at least two requesting networks and without the requirement for any modification to the standard HLR, the network request according to one of at least two network protocols.

With respect to the combination of the Office Action's citations to Larson and Lamb with the Office Action's citation to Gessel, applicants respectfully submit that when undertaking an inquiry into the obviousness of an invention, a determination must be made regarding whether, at the time the invention was made, the invention would have been obvious to one of ordinary skill in the art to which the subject matter of the invention pertains. Applicants strenuously traverse the § 103 rejection of the claimed invention on the following bases:

(1) The justification in the Office Action for combining the citations to Larson and Lamb and the citation to Gessel does not identify any express teaching, suggestion, or incentive in the art for this combination;

(2) The prior art as a whole must be considered when formulating an obviousness rejection, and since Gessel is directed to a different problem than that addressed by the claimed

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invention, the invention cannot be obvious from a combination of the Office Action's citations to Larson, Lamb, and Gessel; and

(3) The combination of the Office Action's citations to Larson and Lamb with the citation to Gessel would destroy the inventions of Larson and Lamb.

First, the Office Action states (page 4, lines 6-9) as a justification to combine the citations to Larson, Lamb, and Gessel:

Therefore it would have been obvious at the time of the invention to modify the system of Larson in view of Lamb to use a standard HLR as taught by Gessel instead of using a HLR with a gateway in order to update location in a mobile network of a subscriber (Gessel, col. 11, lines 16-22).

This justification for combining the Office Action's citations to Larson, Lamb, and Gessel conspicuously fails to identify any express teaching, suggestion, or incentive in the art for making the combination. It is well settled that obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion that the combination be made. Either the Office Action must identify an express teaching, suggestion, or incentive in the art, or the Office Action must present a convincing line of reasoning as to why one skilled in the art would have found the claimed invention to have been obvious. Since no express teaching or suggestion in the art has been identified, attention must be turned to the reasoning to determine whether it is convincing regarding whether the claimed invention is obvious.

Second, applicants respectfully submit that Gessel when considered as a whole is not directed to the problem addressed by the claimed invention.

Gessel (Abstract, lines 1-23) is directed towards a test system for open systems interconnection compliant networks:

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A development test system and method for testing Open Systems Interconnection (OSI) layers 3 through 7 of a communications protocol utilized between nodes in a telecommunications network. The system comprises a protocol simulator that simulates OSI layers 3 through 7 of the communications protocol, a local area network (LAN) connected to the protocol simulator with a first Internet socket interface which replaces OSI layers 1 and 2 of the simulated communications protocol, and a target telecommunication node connected to the LAN with a second Internet socket interface and performing operations with blocks of application software to validate the use of the communications protocol with the target telecommunication node. A protocol interface gateway (PIG-tool) is connected to the LAN with a third Internet socket interface, and serves as a gateway to a target telecommunication system emulator. The target telecommunication system emulator emulates a target telecommunication node and performs operations by executing the code of the application software utilized in the target telecommunication node. The operations validate the use of the communications protocol with the target telecommunication node software without having to utilize the target node hardware.

Gessel discloses the OSI test system that employs a telecommunication system emulator. In contrast, applicants' claim 1 recites the receiver for receiving, from the standard HLR of the requesting network of the at least two requesting networks and without the requirement for any modification to the standard HLR, the network request according to one of at least two network protocols.

Therefore, Gessel is directed to a significantly different problem than the claimed invention. Gessel, when considered as a whole, is not directed to the problem of the claimed invention, and therefore should not be combined with the citations to Larson and Lamb in the manner set forth in the Office Action.

Third, applicants respectfully submit that the Office Action's combination of the citations to Larson and Lamb with the citation to Gessel would destroy the inventions of Larson and Lamb. As indicated above, Larson discloses elimination of the HLR from the communication

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system and presents the elimination as an advantage over the prior systems. Lamb discloses the ULSR that communicates with MSCs, instead of the MSCs communicating with the existing HLR. Adding a standard HLR to the Office Action's citations to Larson and Lamb to allow for the disclosure of Gessel would destroy the advantages disclosed by Larson and Lamb.

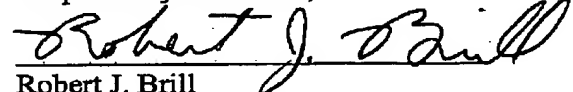
Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citations to Larson, Lamb, and/or Gessel to provide the claimed configuration.

For all the reasons presented above with reference to claim 1, claims 1, 5, 25, 39, and 53 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, 5, 25, 39, and 53, as well as for their own additional characterizations.

Withdrawal of the § 103 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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